

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

VINCENT A. MANIGAN,

Petitioner,

v.

CIVIL ACTION NO. 5:06-cv-00350

WARDEN CHARLES T. FELTS,

Respondent.

ORDER


By Standing Order entered on July 21, 2004, and filed in this case on May 12, 2006, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of proposed findings and a recommendation [“PF&R”]. Magistrate Judge VanDervort filed his PF&R on August 8, 2007 [Docket]. In that filing, the magistrate judge recommended that this Court transfer this matter to the United States District Court for the Eastern District of North Carolina.

The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Here, objections to Magistrate Judge VanDervort’s PF&R were due by August 24, 2007, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Petitioner has failed to object to the PF&R.

Having reviewed the Proposed Findings and Recommendation filed by Magistrate Judge VanDervort, the Court adopts the recommendation contained therein. Accordingly, the Court hereby **TRANSFERS** this matter to the United States District Court for the Eastern District of North

Carolina. The Clerk is directed to mail a copy of this Order to all counsel of record, Petitioner, *pro se*, Magistrate Judge VanDervort, and the Clerk of the United States District Court for the Eastern District of North Carolina.

ENTER: August 28, 2007



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE